**THE HON'BLE MR JUSTICE N.V. RAMANA**

**WRIT PETITION NO :21095 OF 2006**

Dated: 18.10.2006

**Between:**

Pemmasani Sridhar.

..petitioner

And

Commissioner for Workmen Compensation & Assistant Commissioner of Labour, Vijayawada, Krishna District. And another.

..Respondents

**THE HON'BLE SRI JUSTICE N.V.RAMANA**

**WRIT PETITION NO. 21095 of 2006**

**ORDER:**

The petitioner states that the 2nd respondent herein filed an application in W.C. No. 8 of 2005 before the 1st respondent under the Workmen's Compensation Act, 1923 (for short 'the Act'). He appeared through his counsel and filed his counter in the said application. Subsequently, the 2nd respondent examined his witnesses. The grievance of the petitioner is that the 1st respondent, without giving any opportunity to him to cross-examine the witnesses of the 2nd respondent, closed the evidence, and after hearing arguments, allowed the said application, by reason of the order impugned herein. Hence, he filed the present writ petition.

2. Admittedly, as against the impugned order passed by the 1st respondent, the petitioner has an efficacious alternative remedy of appeal under Section 30 of the Act, but without availing the same he directly approached this Court and filed the present writ petition.

3. Since the petitioner is having an effective alternative remedy of appeal under Section 30 of the Act, as against the impugned orders, the writ petition is not maintainable and the same is liable to be dismissed.

4. Accordingly, the Writ Petition is dismissed. However, the petitioner is at liberty to avail the alternative remedy available to him under law. No costs.

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**N.V.RAMANA,J**

Dated: 18-10-2006.

sj/nsr